IN THE HIGHCOURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 1st day of November 2003
Bail application No. 969 of 2003
Order on the bail application of the accused.

CRIMINAL SIDE

Parvinder S/o Nand Lal
R/o Mohbewala, P.S. Clement Town,
District Dehradun …… Applicant.

Versus

State of Uttaranchal. -------Opposite Party.

Arising out of case crime No. 63/2003
U/Ss 304-B and 498 I.P.C. and Section ¾ Dowry Prohibition Act.
P.S. Clement Town
District Dehradun.

By the Court

Hon'ble Irshad Hussain J.

Heard Sri Ramji Srivastava, learned counsel for the applicant and learned A.G.A.

This is a dowry death case. The applicant-accused is husband of the deceased. The death occurred under the circumstances other than natural. There are allegations of demand of dowry by husband. The learned counsel for the applicant-accused submitted that there was delay in loding the F.I.R. and that the informant was present when the inquest was held. That aspect of the case had to be considered at the time of the evidence. It is also argued that despite the illegal demand of dowry and mal-treatment no F.I.R. was ealier lodged by informant-father. It was quite natural that the father would not like to see that the relations between the couple got strained. If no F.I.R. was lodged earlier it makes little difference at this stage. Considering the allegations it is not a fit case for bail. The bail application is rejected.

Dt. 1.11.2003 **(Irshad Hussain J.)**

ISB